

# **JOURNAL OF THE SENATE**

## **EIGHTY-NINTH SESSION**

---

TWENTY-FIRST DAY

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STATE OF SOUTH DAKOTA  
Senate Chamber, Pierre  
Tuesday, February 18, 2014

The Senate convened at 2:00 p.m., pursuant to adjournment, the President presiding.

The prayer was offered by the Chaplain, Reverend John Armstrong, followed by the Pledge of Allegiance led by Senate page Victoria Murphy.

Roll Call: All members present except Sen. Krebs who was excused.

### **APPROVAL OF THE JOURNAL**

MR. PRESIDENT:

The Committee on Legislative Procedure respectfully reports that the Secretary of the Senate has had under consideration the Senate Journal of the twentieth day.

All errors, typographical or otherwise, are duly marked in the temporary journal for correction.

And we hereby move the adoption of the report.

Respectfully submitted,  
Corey Brown, Chair

Which motion prevailed.

**HONORED GUEST**

The President introduced Bob Graff of the Agar-Blunt-Onida School District, the 2014 School Board Member of the Year, to the body.

**COMMUNICATIONS AND PETITIONS**

February 18, 2014

Mr. President and Members of the Senate:

I have the honor to inform you that on February 18, 2014, I approved Senate Bill 58, and the same has been deposited in the office of the Secretary of State.

Respectfully submitted,  
Dennis Daugaard  
Governor

**REPORTS OF STANDING COMMITTEES**

MR. PRESIDENT:

The Committee on Legislative Procedure respectfully reports that SB 34 and 35 were delivered to his Excellency, the Governor, for his approval at 9:00 a.m., February 18, 2014.

Respectfully submitted,  
Corey Brown, Chair

Also MR. PRESIDENT:

The Committee on Judiciary respectfully reports that it has had under consideration SB 128 and 130 which were deferred to the 41<sup>st</sup> Legislative Day.

Respectfully submitted,  
Craig Tieszen, Chair

Also MR. PRESIDENT:

The Committee on Education respectfully reports that it has had under consideration SB 166 and returns the same with the recommendation that said bill be referred to the Committee on Appropriations.

1 Also MR. PRESIDENT:

2 The Committee on Education respectfully reports that it has had under consideration  
3 SB 129 and 155 which were deferred to the 41<sup>st</sup> Legislative Day.

4 Respectfully submitted,  
5 Deb Soholt, Chair

6 Also MR. PRESIDENT:

7 The Committee on Agriculture and Natural Resources respectfully reports that it has had  
8 under consideration HB 1068 and returns the same with the recommendation that said bill do  
9 pass.

10 Also MR. PRESIDENT:

11 The Committee on Agriculture and Natural Resources respectfully reports that it has had  
12 under consideration HB 1076 and returns the same with the recommendation that said bill do  
13 pass and be placed on the consent calendar.

14 Also MR. PRESIDENT:

15 The Committee on Agriculture and Natural Resources respectfully reports that it has had  
16 under consideration SB 164 and returns the same with the recommendation that said bill be  
17 amended as follows:

18 164ta

19 On page 2, line 3, of the printed bill, after "counties." insert "If all of the two thousand fall  
20 three-day temporary nonresident waterfowl licenses are sold, the Game, Fish and Parks  
21 Commission may issue an additional number of such licenses not to exceed three hundred.".

22 And that as so amended said bill do pass.

23 Respectfully submitted,  
24 Bruce Rampelberg, Vice-Chair

25 Also MR. PRESIDENT:

26 The Committee on Commerce and Energy respectfully reports that it has had under  
27 consideration SB 170 and returns the same with the recommendation that said bill do pass.

1 Also MR. PRESIDENT:

2 The Committee on Commerce and Energy respectfully reports that it has had under  
3 consideration SB 69 and returns the same with the recommendation that said bill be amended  
4 as follows:

5 69oa

6 On the printed bill, delete everything after the enacting clause and insert:

7 "Section 1. That § 61-6-9.1 be amended to read as follows:

8 61-6-9.1. Good cause for voluntarily leaving employment is restricted to leaving  
9 employment because:

10 (1) Continued employment presents a hazard to the employee's health. However, this  
11 subdivision applies only if:

12 (a) Prior to the separation from the employment the employee is examined by a  
13 licensed practitioner of the healing arts, as defined in chapter 36-4 or 36-5, and  
14 advised that continued employment presents a hazard to his health; and

15 (b) The health hazard is supported by a certificate signed by the licensed  
16 practitioner of the healing arts.

17 The secretary of labor and regulation may request an additional certificate signed by  
18 another licensed practitioner of the healing arts, as defined in chapter 36-4 or 36-5;

19 (2) The employer required the employee to relocate the employee's residence to hold the  
20 employee's job;

21 (3) The employer's conduct demonstrates a substantial disregard of the standards of  
22 behavior that the employee has a right to expect of an employer or the employer has  
23 breached or substantially altered the contract for employment;

24 (4) An individual accepted employment while on lay off and subsequently quit the  
25 employment to return to work for the individual's regular employer;

26 (5) The employee's religious belief mandates it. This provision does not apply, however,  
27 if the employer has offered to the employee reasonable accommodations taking into  
28 consideration the employee's religious beliefs if this offer is made before the  
29 employee leaves the employment;

30 (6) Leaving is necessary to protect the individual from domestic abuse. However, this  
31 subdivision applies only if:

32 (a) The employee reports the abusive situation to law enforcement within forty-  
33 eight hours of any occurrence and cooperates fully with law enforcement in  
34 any subsequent investigation and criminal charge relating to the abusive

- 1 situation. Upon request by the department, the law enforcement agency shall  
2 complete and return to the department a certification form indicating whether  
3 the employee has complied with the requirements of this subdivision;  
4 (b) The employee has left the abusive situation and remains separate from the  
5 situation; and  
6 © The employee made reasonable efforts to preserve the employment before  
7 quitting; ~~or~~
- 8 (7) The employee is relocating to accompany a spouse who has been reassigned from one  
9 military assignment to another; or
- 10 (8) The employee is an officer who exercises substantial control in decisions to take or  
11 not to take action on behalf of a corporation and has no other alternative than to leave  
12 employment with that corporation. This does not preclude a corporate officer who  
13 does not exercise substantial control in any decision to take or not take action on  
14 behalf of a corporation from being found to have good cause to leave employment  
15 under the circumstances set out in subdivisions (1) to (7), inclusive.

16 Any person found to have good cause for leaving employment due to domestic abuse as set  
17 forth in subdivision (6) and who returns to the abusive situation is ineligible for benefits."

18 690ta

19 On page 1, line 1, of the printed bill, delete everything after "Act to" and insert "revise  
20 certain provisions regarding good cause for voluntarily leaving employment."

21 On page 1, delete line 2.

22 And that as so amended said bill do pass.

23 Also MR. PRESIDENT:

24 The Committee on Commerce and Energy respectfully reports that it has had under  
25 consideration SB 161 and returns the same with the recommendation that said bill be amended  
26 as follows:

27 161ta

28 On the printed bill, delete everything after the enacting clause and insert:

29 "Section 1. That § 45-5A-5.2 be amended to read as follows:

30 45-5A-5.2. The surface owner, and surface lessee, if any, may seek actual and punitive  
31 damages in the court of proper jurisdiction if the mineral developer fails to provide the notice  
32 required by § 45-5A-5 or the notice required by § 45-5A-5.1."

1 161tta

2 On page 1, line 1, of the printed bill, delete everything after "Act to" and insert "revise  
3 certain provisions relating to notice provided by mineral developers."

4 On page 1, delete lines 2 and 3.

5 And that as so amended said bill do pass.

6 Also MR. PRESIDENT:

7 The Committee on Commerce and Energy respectfully reports that it has had under  
8 consideration SB 114 and returns the same with the recommendation that said bill be referred  
9 to the Committee on Appropriations.

10 Respectfully submitted,  
11 Ried S. Holien, Chair

12 **MESSAGE FROM THE HOUSE**

13 MR. PRESIDENT:

14 I have the honor to transmit herewith HCR 1017, 1018, and 1019 which have been adopted  
15 by the House and your concurrence is respectfully requested.

16 Respectfully,  
17 Arlene Kvislen, Chief Clerk

18 **MOTIONS AND RESOLUTIONS**

19 Sen. Brown moved that HB 1212 be referred from the Committee on Local Government  
20 to the Committee on State Affairs.

21 Which motion prevailed.

22 HCR 1017: A CONCURRENT RESOLUTION, Urging Congress, the White House Office  
23 of National Drug Control Policy (ONDCP), the United States Department of Justice, and the  
24 United States Drug Enforcement Administration (DEA) to recognize industrial hemp as a  
25 valuable agricultural commodity.

1 Was read the first time, the President waived the referral to committee, and placed  
2 HCR 1017 on the calendar of Wednesday, February 19, the 22<sup>nd</sup> legislative day.

3 HCR 1018: A CONCURRENT RESOLUTION, Recognizing Chronic Obstructive  
4 Pulmonary Disease (COPD) as a serious and chronic disease in South Dakota.

5 Was read the first time, the President waived the referral to committee, and placed  
6 HCR 1018 on the calendar of Wednesday, February 19, the 22<sup>nd</sup> legislative day.

7 HCR 1019: A CONCURRENT RESOLUTION, Petitioning Congress to reauthorize  
8 federally provided terrorism reinsurance for insurers.

9 Was read the first time, the President waived the referral to committee, and placed  
10 HCR 1019 on the calendar of Wednesday, February 19, the 22<sup>nd</sup> legislative day.

11 SCR 4: A CONCURRENT RESOLUTION, Celebrating and honoring the Historic  
12 Homestake Opera House in Lead on the occasion of its centennial on August 31, 2014.

13 Was read the second time.

14 Sen. Ewing moved that SCR 4 as found on page 327 of the Senate Journal be adopted.

15 The question being on Sen. Ewing's motion that SCR 4 be adopted.

16 And the roll being called:

17 Yeas 34, Nays 0, Excused 1, Absent 0

18 Yeas:

19 Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis);  
20 Holien; Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Lederman; Lucas;  
21 Maher; Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rempelberg; Rave; Rhoden;  
22 Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

23 Excused:

24 Krebs

25 So the motion having received an affirmative vote of a majority of the members-elect, the  
26 President declared the motion carried and SCR 4 was adopted.

27 HCR 1016: A CONCURRENT RESOLUTION, Urging the federal government to enforce  
28 United States immigration laws and not grant amnesty to those who have entered the United  
29 States illegally.

1 Was read the second time.

2 Sen. Jensen moved that the Senate do concur in HCR 1016 as found on page 315 of the  
3 House Journal.

4 The question being on Sen. Jensen's motion that HCR 1016 be concurred in.

5 And the roll being called:

6 Yeas 16, Nays 18, Excused 1, Absent 0

7 Yeas:

8 Begalka; Curd; Ewing; Heineman (Phyllis); Holien; Jensen; Kirkeby; Maher; Monroe; Omdahl;  
9 Otten (Ernie); Rampelberg; Rhoden; Solano; Van Gerpen; Vehle

10 Nays:

11 Bradford; Brown; Buhl O'Donnell; Frerichs; Hunhoff (Jean); Jones (Chuck); Jones (Tom);  
12 Lederman; Lucas; Novstrup (Al); Peters; Rave; Soholt; Sutton; Tidemann; Tieszen; Welke;  
13 White

14 Excused:

15 Krebs

16 So the motion not having received an affirmative vote of a majority of the members-elect,  
17 the President declared the motion lost.

## 18 **CONSIDERATION OF REPORTS OF COMMITTEES**

19 Sen. Rave moved that the reports of the Standing Committees on

20 Appropriations on SB 19 as found on page 322 of the Senate Journal; also

21 Appropriations on SB 90 as found on page 322 of the Senate Journal; also

22 Judiciary on SB 81 as found on page 324 of the Senate Journal; also

23 Commerce and Energy on SB 180 as found on page 326 of the Senate Journal; also

24 Commerce and Energy on SB 171 as found on page 326 of the Senate Journal; also

25 Commerce and Energy on SB 183 as found on page 326 of the Senate Journal; also

26 Commerce and Energy on SB 186 as found on page 327 of the Senate Journal be adopted.

27 Which motion prevailed.



1                   **CONSIDERATION OF CONSENT EXECUTIVE APPOINTMENTS**

2           The Senate proceeded to the consideration of the executive reappointment of John L.  
3 Cooper of Hughes County, Pierre, South Dakota, to the Game, Fish and Parks Commission.

4           The question being "Does the Senate advise and consent to the executive reappointment  
5 of John L. Cooper pursuant to the executive message as found on page 106 of the Senate  
6 Journal?"

7           And the roll being called:

8           Yeas 33, Nays 1, Excused 1, Absent 0

9           Yeas:

10 Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis);  
11 Holien; Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Lederman; Lucas;  
12 Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave; Rhoden; Soholt;  
13 Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

14           Nays:

15 Maher

16           Excused:

17 Krebs

18           So the question having received an affirmative vote of a majority of the members-elect, the  
19 President declared the reappointment confirmed.

20           The Senate proceeded to the consideration of the executive appointment of Herman P.  
21 Dennert of Brown County, Columbia, South Dakota, to the Game, Fish and Parks Commission.

22           The question being "Does the Senate advise and consent to the executive appointment of  
23 Herman P. Dennert pursuant to the executive message as found on page 142 of the Senate  
24 Journal?"

25           And the roll being called:

26           Yeas 33, Nays 1, Excused 1, Absent 0

27           Yeas:

28 Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis);  
29 Holien; Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Lederman; Lucas;  
30 Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave; Rhoden; Soholt;  
31 Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

1 Nays:

2 Maher

3 Excused:

4 Krebs

5 So the question having received an affirmative vote of a majority of the members-elect, the  
6 President declared the appointment confirmed.

7 The Senate proceeded to the consideration of the executive appointment of William S.  
8 Phillips of Meade County, New Underwood, South Dakota, to the Game, Fish and Parks  
9 Commission.

10 The question being "Does the Senate advise and consent to the executive appointment of  
11 William S. Phillips pursuant to the executive message as found on page 122 of the Senate  
12 Journal?"

13 And the roll being called:

14 Yeas 33, Nays 1, Excused 1, Absent 0

15 Yeas:

16 Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis);  
17 Holien; Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Lederman; Lucas;  
18 Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave; Rhoden; Soholt;  
19 Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

20 Nays:

21 Maher

22 Excused:

23 Krebs

24 So the question having received an affirmative vote of a majority of the members-elect, the  
25 President declared the appointment confirmed.

26 **SECOND READING OF CONSENT CALENDAR ITEMS**

27 SB 77: FOR AN ACT ENTITLED, An Act to repeal certain outdated and obsolete  
28 provisions regarding county prisoners.

29 Was read the second time.

30 The question being "Shall SB 77 pass?"

1 And the roll being called:

2 Yeas 34, Nays 0, Excused 1, Absent 0

3 Yeas:

4 Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis);  
5 Holien; Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Lederman; Lucas;  
6 Maher; Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave; Rhoden;  
7 Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

8 Excused:

9 Krebs

10 So the bill having received an affirmative vote of a majority of the members-elect, the  
11 President declared the bill passed and the title was agreed to.

12 HB 1084: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the  
13 list of persons who may be excluded from a licensed gaming establishment and to provide a  
14 penalty for a violation of the exclusion.

15 Was read the second time.

16 The question being "Shall HB 1084 pass?"

17 And the roll being called:

18 Yeas 34, Nays 0, Excused 1, Absent 0

19 Yeas:

20 Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis);  
21 Holien; Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Lederman; Lucas;  
22 Maher; Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave; Rhoden;  
23 Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

24 Excused:

25 Krebs

26 So the bill having received an affirmative vote of a majority of the members-elect, the  
27 President declared the bill passed and the title was agreed to.

28 **SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS**

29 Sen. Rave moved that SB 116, 172, and 162 be deferred to Wednesday, February 19, the  
30 22<sup>nd</sup> legislative day.

1 Which motion prevailed.

2 SB 127: FOR AN ACT ENTITLED, An Act to make an appropriation to fund the Teach  
3 for America grant program.

4 Having had its second reading was up for reconsideration and final passage.

5 127ja

6 Sen. Bradford moved that SB 127 be amended as follows:

7 On page 2, between lines 12 and 13 of the Senate State Affairs Committee engrossed bill,  
8 insert:

9 "Section 3. The state shall use money from the funds appropriated in section 2 of this Act  
10 to reimburse schools for any fees paid to Teach for America.".

11 The question being on Sen. Bradford's motion that SB 127 be amended.

12 Sen. Bradford requested a roll call vote.

13 Which request was supported.

14 The question being on Sen. Bradford's motion that SB 127 be amended.

15 And the roll being called:

16 Yeas 9, Nays 25, Excused 1, Absent 0

17 Yeas:

18 Bradford; Buhl O'Donnell; Frerichs; Jones (Tom); Lucas; Peters; Sutton; Tidemann; Welke

19 Nays:

20 Begalka; Brown; Curd; Ewing; Heineman (Phyllis); Holien; Hunhoff (Jean); Jensen; Jones  
21 (Chuck); Kirkeby; Lederman; Maher; Monroe; Novstrup (Al); Omdahl; Otten (Ernie);  
22 Rampelberg; Rave; Rhoden; Soholt; Solano; Tieszen; Van Gerpen; Vehle; White

23 Excused:

24 Krebs

25 So the motion not having received an affirmative vote of a majority of the members-elect,  
26 the President declared the motion lost.

27 The question being "Shall SB 127 pass as amended?"

28 And the roll being called:

1 Yeas 17, Nays 17, Excused 1, Absent 0

2 Yeas:

3 Begalka; Brown; Heineman (Phyllis); Holien; Jones (Chuck); Jones (Tom); Kirkeby; Lederman;  
4 Novstrup (Al); Rampelberg; Rave; Soholt; Solano; Tieszen; Van Gerpen; Vehle; White

5 Nays:

6 Bradford; Buhl O'Donnell; Curd; Ewing; Frerichs; Hunhoff (Jean); Jensen; Lucas; Maher;  
7 Monroe; Omdahl; Otten (Ernie); Peters; Rhoden; Sutton; Tidemann; Welke

8 Excused:

9 Krebs

10 So the bill not having received an affirmative vote of a two-thirds majority of the members-  
11 elect, the President declared the bill lost.

12 SB 169: FOR AN ACT ENTITLED, An Act to provide for access to and use of public  
13 waters on public and private property and to protect private property rights for the citizens of  
14 South Dakota.

15 Having had its second reading was up for consideration and final passage.

16 Sen. Brown moved that SB 169 and all pending amendments be laid on the table.

17 The question being on Sen. Brown's motion that SB 169 and all pending amendments be  
18 laid on the table.

19 And the roll being called:

20 Yeas 31, Nays 3, Excused 1, Absent 0

21 Yeas:

22 Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis);  
23 Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Lederman; Lucas; Monroe;  
24 Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave; Rhoden; Soholt; Solano;  
25 Sutton; Tieszen; Van Gerpen; Vehle; Welke; White

26 Nays:

27 Holien; Maher; Tidemann

28 Excused:

29 Krebs

30 So the motion having received an affirmative vote of a majority of the members-elect, the  
31 President declared the motion carried.

1 SB 173: FOR AN ACT ENTITLED, An Act to provide authority to establish special  
2 purpose districts for libraries.

3 Was read the second time.

4 173tb

5 Sen. Rampelberg moved that SB 173 be amended as follows:

6 On page 2, line 3 of the Senate Local Government Committee engrossed bill, delete ". The"  
7 and insert "upon the provision of".

8 On page 2, line 3, delete "shall be" and insert "as".

9 Which motion prevailed.

10 The question being "Shall SB 173 pass as amended?"

11 And the roll being called:

12 Yeas 8, Nays 26, Excused 1, Absent 0

13 Yeas:

14 Begalka; Buhl O'Donnell; Holien; Monroe; Rampelberg; Sutton; Tieszen; Welke

15 Nays:

16 Bradford; Brown; Curd; Ewing; Frerichs; Heineman (Phyllis); Hunhoff (Jean); Jensen; Jones  
17 (Chuck); Jones (Tom); Kirkeby; Lederman; Lucas; Maher; Novstrup (Al); Omdahl; Otten  
18 (Ernie); Peters; Rave; Rhoden; Soholt; Solano; Tidemann; Van Gerpen; Vehle; White

19 Excused:

20 Krebs

21 So the bill not having received an affirmative vote of a two-thirds majority of the members-  
22 elect, the President declared the bill lost.

23 SB 18: FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to contract  
24 for the construction of a greenhouse on the campus of Northern State University and to make  
25 an appropriation therefor.

26 Was read the second time.

27 The question being "Shall SB 18 pass?"

28 And the roll being called:

1 Yeas 28, Nays 6, Excused 1, Absent 0

2 Yeas:

3 Begalka; Bradford; Buhl O'Donnell; Curd; Frerichs; Heineman (Phyllis); Holien; Hunhoff  
4 (Jean); Jones (Chuck); Jones (Tom); Kirkeby; Lederman; Lucas; Novstrup (Al); Otten (Ernie);  
5 Peters; Rampelberg; Rave; Rhoden; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen;  
6 Vehle; Welke; White

7 Nays:

8 Brown; Ewing; Jensen; Maher; Monroe; Omdahl

9 Excused:

10 Krebs

11 So the bill having received an affirmative vote of a two-thirds majority of the members-  
12 elect, the President declared the bill passed and the title was agreed to.

13 SB 37: FOR AN ACT ENTITLED, An Act to revise the state aid to general education  
14 formula.

15 Was read the second time.

16 The question being "Shall SB 37 pass?"

17 And the roll being called:

18 Yeas 34, Nays 0, Excused 1, Absent 0

19 Yeas:

20 Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis);  
21 Holien; Hunhoff (Jean); Jensen; Jones (Chuck); Jones (Tom); Kirkeby; Lederman; Lucas;  
22 Maher; Monroe; Novstrup (Al); Omdahl; Otten (Ernie); Peters; Rampelberg; Rave; Rhoden;  
23 Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

24 Excused:

25 Krebs

26 So the bill having received an affirmative vote of a majority of the members-elect, the  
27 President declared the bill passed and the title was agreed to.

28 SB 124: FOR AN ACT ENTITLED, An Act to revise certain reimbursement provisions  
29 relating to legislators-elect and newly appointed legislators.

30 Was read the second time.

31 The question being "Shall SB 124 pass?"

1 And the roll being called:

2 Yeas 32, Nays 1, Excused 2, Absent 0

3 Yeas:

4 Begalka; Bradford; Brown; Buhl O'Donnell; Curd; Ewing; Frerichs; Heineman (Phyllis);  
5 Holien; Hunhoff (Jean); Jensen; Jones (Chuck); Kirkeby; Lederman; Lucas; Maher; Novstrup  
6 (Al); Omdahl; Otten (Ernie); Peters; Rempelberg; Rave; Rhoden; Soholt; Solano; Sutton;  
7 Tidemann; Tieszen; Van Gerpen; Vehle; Welke; White

8 Nays:

9 Monroe

10 Excused:

11 Jones (Tom); Krebs

12 So the bill having received an affirmative vote of a majority of the members-elect, the  
13 President declared the bill passed and the title was agreed to.

14 Sen. Rave moved that HB 1061, 1029, 1012, 1015, 1045, 1058, 1079, 1014, 1110, 1069,  
15 1178, 1019, and 1081 be deferred to Wednesday, February 19, the 22<sup>nd</sup> legislative day.

16 Which motion prevailed.

17 **SIGNING OF BILLS**

18 The President publicly read the title to

19 HB 1048: FOR AN ACT ENTITLED, An Act to repeal certain provisions regarding  
20 property and casualty insurance.

21 HB 1053: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the  
22 regulation of insurance rating organizations.

23 HB 1080: FOR AN ACT ENTITLED, An Act to clarify that emergency personnel driving  
24 records are not to include motor vehicle accidents resulting while engaged in the performance  
25 of their official duties.

26 And signed the same in the presence of the Senate.



**COMMEMORATION**

SC 22 Introduced by: Senators Monroe, Begalka, Ewing, Heineman (Phyllis), Hunhoff (Jean), Jones (Chuck), Krebs, Omdahl, Otten (Ernie), Rampelberg, Soholt, Solano, Tieszen, Van Gerpen, Vehle, and White and Representatives Rounds, Bartling, Campbell, Conzet, Cronin, Ecklund, Feickert, Feinstein, Gibson, Hawks, Hawley, Heinert, Hunhoff (Bernie), Killer, Kirschman, Kopp, Lust, Munsterman, Otten (Herman), Parsley, Peterson, Qualm, Ring, Russell, Schrempp, Sly, Soli, Stevens, Tulson, Tyler, Werner, Westra, Wick, Wink, and Wismer

A LEGISLATIVE COMMEMORATION, Honoring the South Dakota Head Start Association.

WHEREAS, the South Dakota Head Start Association has served the State of South Dakota for the last twenty-five years; and

WHEREAS, the South Dakota Head Start Association has been an advocate and voice for the children and families who are served by the state's sixteen Head Start programs; and

WHEREAS, the South Dakota Head Start Association serves approximately 5,700 children and 5,100 families in South Dakota annually; and

WHEREAS, the South Dakota Head Start Association works collaboratively with other stakeholders to meet the needs of low-income families in South Dakota while achieving outcomes for children in preparation for future success in learning:

NOW, THEREFORE, BE IT COMMEMORATED, by the Eighty-Ninth Legislature of the State of South Dakota, that the South Dakota Head Start Association is commended and honored for its service to the State of South Dakota.

Sen. Omdahl moved that the Senate do now adjourn, which motion prevailed and at 3:54 p.m. the Senate adjourned.

Jeannette Schipper, Secretary

